

Patent No. 7,022,057  
Request for Cert. of Correction dated November 14, 2006  
Attorney Docket No. 0115-031453

10/629 473

Cofc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,022,057 Confirmation No. 7303  
Inventor : Colla  
Issued : April 4, 2006  
Title : Device for Manufacturing Packing Bags  
Examiner : Christopher Harmon  
Customer No. : 28289

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT  
FOR PTO MISTAKE (37 C.F.R. 1.323)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction Branch  
Patent Issue Division

Sir:

In accordance with 35 U.S.C. §254, we attach hereto Form PTO/SB/44 and a copy of proof of PTO's error and request that a Certificate of Correction be issued in the above-identified patent. The following error appears in the patent as printed:

Face of Patent, Priority Information is Missing.

Column 1, Item (30) **Foreign Application Priority Data**,

The following information should be added:

-- Dec. 20, 2000 (CH) ..... 2481/00 --

Remarks

The subject patent was based upon a Continuation-In-Part for Patent Application No. 10/629,473 (the '473 application) of parent United States Patent Application No. 10/029,527 (the '527 application). The Applicant believes that the USPTO overlooked the claim for priority under 35 U.S.C. §119 found in the '473 application.

**Certificate**  
NOV 20 2006  
**of Correction**

NOV 20 2006

In accordance with MPEP §201.14(b), third paragraph directed to 35 U.S.C. §119 priority claims:

For all applications, the claim to priority need be in no special form, and may be made by a person authorized to sign correspondence under 37 C.F.R. §1.33(b). No special language is required in making the claim for priority and any expression which can be reasonably interpreted as claiming the benefit of the foreign application is accepted as the claim for priority.

First of all, pursuant to a priority claim with the parent '527 application, a certified copy of Swiss Patent Application No. 2481/00 was filed and documented as received in the Office Action dated January 30, 2003 (first two pages included herewith as Attachment A). Directing attention to the C-I-P '473 application, the Examiner in the Notice of Allowability (Attachment B) acknowledges that certified copies of the priority document had been received with the '527 application. However, in the Examiner's Amendment in the Notice of Allowability, the Examiner indicates that a claim for foreign priority must be made in the '473 application.

The Applicant believes that such a claim for priority was made in the '473 application. In particular, Attachment C, in the first paragraph of page 2 states:

"This application is a Continuation-In-Part Application of United States Patent Application No. 10/029,527, filed December 20, 2001, claiming a priority date of December 20, 2002, corresponding to Swiss Patent Application No. 2481/00."

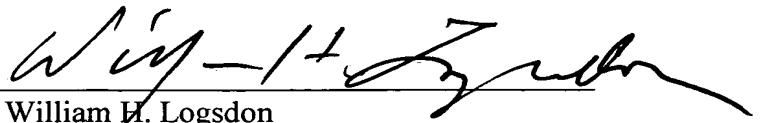
This claim for priority not only specifies the application number, country, day, month and years of its filing in accordance with 37 C.F.R. §1.55(a) but, furthermore, this claim is made by a person authorized to sign correspondence under 37 C.F.R. §1.33(b). William H. Logsdon in accordance with 1.33(b)(1) is a patent practitioner of record appointed in compliance with §1.32(b) as stated in the Declaration and Power of Attorney (Attachment D).

For these reasons, the Applicant believes that a proper claim for priority was made in accordance with 35 U.S.C. §119 and that failure to include this priority claim on the face of the patent was in error on behalf of the USPTO and correction is hereby requested.

NOV 20 2006

Respectfully submitted,

THE WEBB LAW FIRM

By 

William H. Logsdon

Registration No. 22,132

Attorney for Registrant

700 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

Telephone: (412) 471-8815

Facsimile: (412) 471-4094

NOV 20 2005

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,022,057  
APPLICATION NO. : 10/629,473  
ISSUE DATE : April 4, 2006  
INVENTOR : Colla

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Face of Patent, Priority InformationColumn 1, Item (30) **Foreign Application Priority Data,**

Insert:

-- Dec. 20,2000 (CH) ..... 2481/00 --

MAILING ADDRESS OF SENDER: The Webb Law Firm  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-2450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select Option 2.*

**NOV 20 2006**



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,527	12/20/2001	Tiziano Colla	0115-012138	5889

7590

01/30/2003

William H. Logsdon  
WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.  
700 Koppers Building  
436 Seventh Avenue  
Pittsburg, PA 15219-1818

EXAMINER

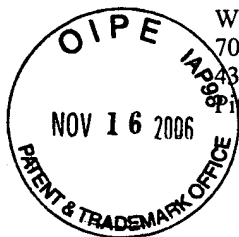
TRAN, LOUIS B

ART UNIT

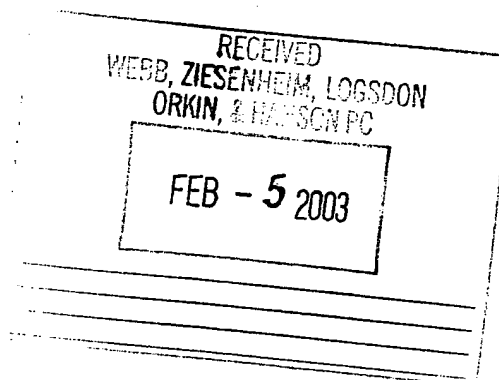
PAPER NUMBER

3721

DATE MAILED: 01/30/2003



Please find below and/or attached an Office communication concerning this application or proceeding.



# Office Action Summary

Application No.

10/029,527

Examiner

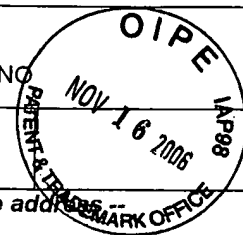
Louis B Tran

Applicant(s)

COLLA, TIZIANO

Art Unit

3721



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-8 is/are rejected.
- 7) ☒ Claim(s) 2 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

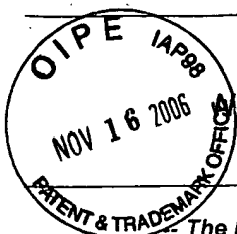
## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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**Notice of Allowability**

Application No.	Applicant(s)	
10/629,473	COLLA, TIZIANO	
Examiner	Art Unit	
Christopher R. Harmon	3721	

**The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview of 9/29/05.
2. ☒ The allowed claim(s) is/are 18-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 10/029,527.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"><li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li><li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li><li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li><li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li></ol> | <ol style="list-style-type: none"><li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li><li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>9/29/05</u>.</li><li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li><li>8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance</li><li>9. <input type="checkbox"/> Other _____</li></ol> |
|--|---|

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**ATTACHMENT B**

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jim Corselli on 9/29/05. Claims finally rejected were agreed to be cancelled as well as changes to claim 25 to overcome the rejection under 35 USC 112.

2. The application has been amended as follows:

In the specification, page 1, paragraph 0001, line 2 --now abandoned,-- has been inserted after "December, 20, 2001,"

In the claims:

Claims 1-17 are cancelled.

Claim 25, last line "the first distance (a)." has been changed to --the first interval (a).--.

### ***Priority***

3. Applicant is reminded that in order for a patent issuing on the instant application to obtain the benefit of priority based on priority papers filed in parent Application No. 10/029,527 under 35 U.S.C. 119(a)-(d) or (f), a claim for such foreign priority must be timely made in this application. To satisfy the requirement of 37 CFR 1.55(a)(2) for a certified copy of the foreign application, applicant may simply identify the application

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Art Unit: 3721


containing the certified copy. Note: the Declaration in the present application contains reference to the foreign application, however not a claim for priority under 35 USC 119.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Harmon whose telephone number is (571) 272-4461. The examiner can normally be reached on Monday-Friday from 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

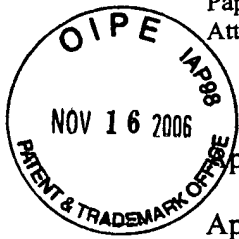
Ch

  
JOHN SIPOS  
PRIMARY EXAMINER

NOV 20 2006

Application No. 10/629,473  
Paper Dated: October 21, 2005  
Attorney Docket No. 0115-031453

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No. : 10/629,473 Confirmation No.: 7303  
Applicant : Tiziano Colla  
Filed : July 29, 2003  
Title : **DEVICE FOR MANUFACTURING PACKING BAGS**  
Art Unit : 3721  
Examiner : Christopher R. Harmon  
Customer No. : 28289

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the requirements of 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant submits this Information Disclosure Statement, which includes a completed Form PTO/SB/08A and one copy of each reference identified therein.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 21, 2005.

Deborah L. Hartmann  
(Name of Person Mailing Papers)

*Deborah L. Hartmann* 10/21/05  
Signature Date

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Application No. 10/629,473  
Paper Dated: October 21, 2005  
Attorney Docket No. 0115-031453

This application is a continuation-in-part application of United States Patent Application No. 10/029,527, filed December 20, 2001, claiming a priority date of December 20, 2002, corresponding to Swiss Patent Application No. 2481/00. The references identified in Form PTO/SB08A were cited in a Japanese Office Action dated July 21, 2005 during the prosecution of the counterpart Japanese patent application. The relevance of the enclosed references is indicated in the copy of the Japanese Office Action, also enclosed herewith.

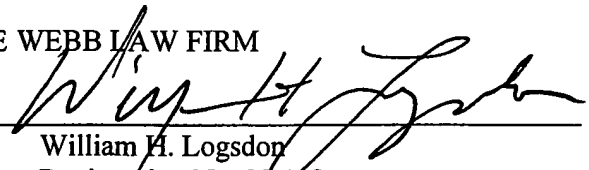
Pursuant to 37 C.F.R. § 1.97(e)(1), Applicant hereby asserts that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement. Accordingly, Applicant hereby respectfully requests that the references identified in the Information Disclosure Statement should be considered by the Examiner, even after issuance of the Notice of Allowance.

Pursuant to 37 C.F.R. § 1.97(d)(2), a check in the amount of \$180.00 is enclosed to cover the fee due under 37 C.F.R. § 1.17(p) for the filing of this Information Disclosure Statement. The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

By



William H. Logsdon  
Registration No. 22,132  
Attorney for Applicants  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1845  
Telephone: (412) 471-8815  
Facsimile: (412) 471-4094  
E-mail: webblaw@webblaw.com

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DECLARATION AND POWER OF ATTORNEY

TIZIANO COLLA declares:

I am a citizen of Switzerland and a resident of Switzerland, whose mailing address is Via della Cavetta, CH-6967 Dino, Switzerland.



I verily believe myself to be the original, first and sole inventor of the improvement described and claimed in the application entitled DEVICE FOR MANUFACTURING PACKING BAGS for which a patent application was filed in the United States Patent and Trademark Office on July 29, 2003 and bears Serial No. 10/629,473.

I have reviewed and understand the contents of the specification, including the claims.

That this application in part discloses and claims subject matter disclosed in my earlier filed pending application, Serial No. 10/029,527, filed December 20, 2001.

That, as to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States before my invention thereof; or patented or described in any printed publication in any country before my invention thereof or more than one year prior to said earlier application; or in public use or on sale in the United States more than one year prior to said earlier application.

That said common subject matter has not been patented or made the subject of an inventor's certificate before the date of said earlier application in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application.

That the first filed application for patent or inventor's certificate on said invention set forth in said earlier application filed by me or my legal representatives or assignees in any country foreign to the United States is: Swiss Application No. 2481/00, filed December 20, 2000.

That, as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States before my invention thereof; or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application.

That said subject matter of this application which is not common to said earlier application has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application.

{W0094134.1}

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ATTACHMENT D

That the first filed application for patent or inventor's certificate on said invention first set forth in this application filed by me or my representatives or assigns in any country foreign to the United States is: Swiss Application No. 2481/00, filed December 20, 2000.

I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, '1.56(a) including matters as occurred between the filing date of my said earlier application and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint William H. Logsdon, Registration No. 22,132; Russell D. Orkin, Registration No. 25,363; David C. Hanson, Registration No. 23,024; Richard L. Byrne, Registration No. 28,498; Frederick B. Ziesenheim, Registration No. 19,438; Kent E. Baldauf, Registration No. 25,826; Barbara E. Johnson, Registration No. 31,198; Paul M. Reznick, Registration No. 33,059; John W. McIlvaine, Registration No. 34,219; Julie W. Meder, Registration No. 36,216; Lester N. Fortney, Registration No. 38,141; Randall A. Notzen, Registration No. 36,882; James G. Porcelli, Registration No. 33,757; Kent E. Baldauf, Jr., Registration No. 36,082; Christian E. Schuster, Registration No. 43,908; Nathan J. Prepelka, Registration No. 43,016; Jessica M. Schroth, Registration No. 47,102; Kirk M. Miles, Registration No. 37,891; J. Matthew Pritchard, Registration No. 46,228; Darrell E. Williams, Registration No. 45,222; Alka A. Patel, Registration No. 49,092; Philip J. Foret, Registration No. 51,689; Patricia A. Olosky, Registration No. 53,411; Alexander Detschelt, Registration No. 50,261; and Gwen R. Acker Wood, Registration No. 51,027, whose post-office address is 700 Koppers Building, 436 Seventh Avenue, Pittsburgh, Pennsylvania 15219-1818, Telephone No. 412-471-8815, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, to amend the specification, to appeal in case of rejection, as they may deem advisable, to receive the patent when granted and generally to do all matters and things needful in the premises, as fully and to all intents and purposes as I could do.

All correspondence and telephone calls should be addressed to William H. Logsdon.

I hereby subscribe my name to the foregoing specification and claims, declaration and power of attorney this 12 day of DECEMBER, 2003.

TIZIANO COLLA